



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,064	12/29/2003	Pictor J. Mosterman	MWS-060	8311

959 7590 09/26/2006

LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

EXAMINER
----------

PALADINI, ALBERT WILLIAM

ART UNIT	PAPER NUMBER
----------	--------------

2125

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/748,064	MOSTERMAN, PIETER J.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Albert W. Paladini	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-72 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 41-56 and 64-72 is/are allowed.
- 6) ☒ Claim(s) 1-40 and 57-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/25/05</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-40 and 57-63 rejected under 35 U.S.C. 102(b) as being anticipated by Cimral (5241645).

In (C3, L22-29), Cimral discloses a computer system for modeling systems, which affords dynamic linkages so that user inputs are quickly and simply transformed into changes in the model. From (C4, L60) to (C7, L65), Cimral discloses the system whereby the user can perform actions on a model using a hierarchical interface. The options facility 20 depicted in figure 2 enables the user to navigate the model visually in a hierarchy of options. The user does not need to be familiar with UNIX, DOS, or any of the programming languages. In (C26, L1-8), Cimral discloses the linking system coupled to the modeling subsystem, which dynamically links model subset displays with model subset design data.

### ***Allowable Subject Matter***

3. Claims 41-56 and 64-72 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter: None of the art searched or the references cited disclose or teach alone or in

combination the visual references to resources including data in a first system with an interface to a second system, where the second system is at least two steps higher than the first system in a vertical hierarchical structure, as recited in claim 41.

None of the art searched or the references cited disclose or teach alone or in combination the system for linking resources in a modeling environment which includes a first user interface for providing a visual reference to a model, a second user interface for providing a hierarchy or options associated with the model, and the relationship between the first user interface and the second user interface recited in claim 64.

### ***Relevant Prior***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Thalhammer-Reyero (6983227) discloses a computer based virtual model of complex systems which uses a hierarchical encapsulation to display different levels of detail and to enable the user to focus only on relevant sections, and which enables the user to expand the model by adding additional levels.

Reddy (6986120) discloses a modeling framework that defines a hierarchical structure for enabling a programmable visual interface for diagrammatical notation and editing of abstract models.

Hudson (7024631) discloses a system for graphical program polymorphism, which includes a hierarchy window with user configurable options, and a link from a calling mode to a polymorphic mode.

Art Unit: 2125

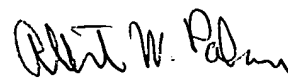
Jammes (7076453) discloses a method and system for operating an electronic store, which includes a user interface, which displays a hierarchical model of an electronic store including icons and labels to represent parent-child, and sibling relationships between groups and products.

6. Any inquiry concerning this communication or earlier communication from the examiner should be direct to Albert W. Paladini whose telephone number is (571) 272-3748. The examiner can normally be reached from 7:00 to 3:00 PM on Monday, Tuesday, Thursday, and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Leo P. Picard, can be reached on (571) 272-3749. The official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

September 19, 2006



Albert W. Paladini  
Primary Examiner  
Art Unit 2125